



03-29-05

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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	10/816,663
	Filing Date	04/02/2004
	First Named Inventor	Shuster, et. al.
	Art Unit	1645
	Examiner Name	TBA
Total Number of Pages in This Submission	5	Attorney Docket Number
		AH06021US01

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Robert J. Lipka		
Signature			
Printed name	Robert J. Lipka		
Date	03/28/2005	Reg. No.	42,807

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Robert J. Lipka	Date	03/28/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: \_\_\_\_\_  
Shuster et al. : Examiner: TBA  
For: COMPOSITIONS  
AND METHOD FOR TREATING  
INFECTION IN CATTLE AND SWINE :  
Serial No.: 10/816,663 :  
Filed: 4/2/04 :  
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Commissioner for Patents,  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Sir:

As this submission pre-dates the receiving of an Office Action on the merits, it is not believed that any fee is due. In the event a fee is due, the Commissioner is authorized to charge the same to Deposit Account No. 19-0365. A duplicate copy of this paper is enclosed.

Pursuant to 37 C.F.R. § 1.56, applicants hereby disclose the following information for consideration by the Examiner:

Each of the documents listed on accompanying PTO Form 1449 submitted herewith. A copy of each listed document is enclosed for the convenience of the Examiner, which copy is the best available to the Applicant at this time; the Examiner is requested to disregard any underlining or marginal notation (if any) appearing in a copy, since marking may have

Case No. AH06021

been done for another purpose and may not pertain in any manner to the subject application.

The listed documents may be relevant to examination of the application. Inclusion of the document is not an admission that the document is prior art with respect to the invention of the application and is not to be construed as an admission that anything in the document renders any claim of the application unpatentable.

Applicants assert that the claimed invention is patentable over the documents listed on PTO-1449.

The Examiner is kindly requested to initial and return the PTO-1449 Form to evidence consideration of these documents.

Respectfully submitted,

  
Robert J. Lipka  
Reg. No. 42,807  
Registered Representative  
(908) 298-5056



EV 533188744 US  
Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		ATTY. DOCKET NO.: AH06021	SERIAL NO.: 10/816,663
		APPLICANT: Shuster et al.	
		FILING DATE: 4/2/04	GROUP: 1617

#### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
AA	2003/00064939	4/3/03	Sklavounos	514	28	4/25/02
AB	6,653,288	11/25/03	Beuvry	514	28	9/30/02
AC	6,174,540	1/16/01	Williams	424	423	9/14/98
AD	5,733,566	3/31/98	Lewis	424	426	10/30/95
AE	6,074,657	6/13/00	Brown	424	423	3/20/97
AF	4,199,569	4/22/80	Chabala	424	180	7/31/78
AG						
AH						
AI						
AJ						
AK						

#### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
						YES
AL	WO02/088158	11/7/02	PCT			X
AM	EP1078631	2/28/02	Europe	31	365	X
AN	WO04/043164	5/27/04	PCT			X
AO						
AP						

#### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AQ	"Synthesis and Activity of a Novel class of Tribasic Macroyclic Antibiotics: The Trilamides," Letavic et al., Bioorganic and Medicinal Chemistry Letters 12 (2002) pp. 2771-2774
AR	Syntheis, Stereochemical Assignment and Biological Activity of a Novel Series of C-4 Modified Aza-Macrolides," Bioorganic and Medicinal Chemistry Letters 13 (2003) pp. 1955-1958
AS	Libersa et al, Rec. Med. Vet. 1995, 171 (01) pp. 39-44 (1995)
AT	J. Vet Pharmacol. Therap. 26 (Supp 1) 82-307 (2003)
AU	
AV	

EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.